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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,385	10/24/2003	Dionna O. Parker		1653

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DIONNA O. PARKER  
1021-31ST ST.  
NEWPORT NEWS, VA 23605

EXAMINER

TANG, SON M

ART UNIT PAPER NUMBER

2632

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/693,385

Applicant(s)

PARKER, DIONNA O.

Examiner

Son M. Tang

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

-claim 3, “a reactor to activity”.

-claim 14, “set at the capacity of human activation”.

-claim 16, all the features from (a) to (p) that claimed.

### ***Claim Objections***

2. Claims 15 and 16 are objected to because of the following informalities: The claimed of method claims have to be in an –ing- form, i.e. “accessing” or “transmitting visual and audio...” Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 16-17 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

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It is unclear that how the system being able to corporate and to connect with all the limitations as claimed, for example:

In claim 16,

- step (i) "to start specific vehicle, lock and unlock door?".
- step (l) "deactivation in case of lost or theft?".
- step (m) "page notification if misplace?".
- step (p) "for pet owners additional timed set sensors for pet doors?"

In claim 17:

It is unclear of limitations such as "if said property is without a computer then the camera, sensor, doorbell, and intercom can be linked directly to a phone line", is the phone line is the same as a computer? And the word "may" in line 6 is being indefinite, since it is not particular point out and distinctly claim the subject matter, "may" can be means as have or have not.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 17 is rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.

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7. Claims 2-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In all the claims above, after “wherein” the subjective is missing which uses to connect with the limitations, for example: in claim 2 “wherein includes the motion sensor.” What is the limitation that includes the motion sensor? And claim 10, “wherein stores data” it is unclear of what is the limitation uses to store the data? Applicant please defines more in all the claims above.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Chang et al. [US 6,778,084].

Regarding claims 1-15: Chang et al. disclose an apparatus for first hand surveillance with the capability of audio and visual communication specifically when emerged off a property, that comprises all the functions and limitation that claimed, that includes motion sensor 220, camera 180, reactor to activity 200, microphone and speaker (col. 5, lines 30-31 and

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col. 6, lines 1-14), computer 280, an audiovisual remote 160 [as shown in Fig. 1-2 and col. 3, lines 56-67, col. 4, lines 24-66 and col. 5, lines 20-54].

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. [US 6,778,084].

Regarding claim 16: Chang et al. disclose a surveillance audio visual remote 160 that able to receiving the notification alarm signal, and sending command signal to camera to function as control volume, zoom, pan, tilt, focus and on/off [see col. 5, lines 18-40], Chang et al. does not specifically disclose that the audio visual remote is capable to do the rest of the list of functions and features as claimed, however, as long as the remote controller 160 is being able to control and do more than one functions for the system. It would have been obvious of one having ordinary skill in the art at the time of the claimed invention to be able to employ more additional features into the remote controller, for more convenience.

Regarding claim 17: Chang et al. disclose an apparatus for first hand surveillance comprises a computer 280 and communication device 300 [see Fig. 1] and the apparatus is capable to record the incident into the master terminal box 240, for later playback [see col. 5,

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lines 41-54], Chang et al. does not specifically mention that recording device is a VCR, DVD, CD burner. Since, VCR, DVD, and CD burner are well known as the recording devices, therefore, it is obvious of one having ordinary skill in the art at the time the invention was made to use any appropriate known type of recording device in the system, including VCR, DVD, and CD as claimed.

### *Conclusion*

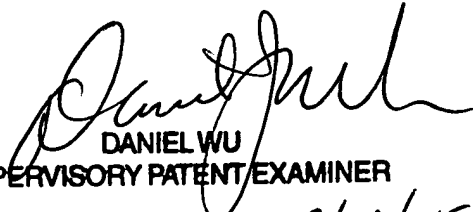
12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Vaio [US 6,271,752], Yamanaka [US 4,651,143], Rigmaiden [US 6,525,653], Toyoshima [US 5,229,850], Turner [US 6,002,326] and Langfahl et al. [US 6,741,165].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son M. Tang whose telephone number is (571)272-2962. The examiner can normally be reached on 4/9 First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571)272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Son Tang

  
DANIEL WU  
SUPERVISORY PATENT EXAMINER  
9/06/05